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PATENT & TRADEMARK OFFICE

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James F. McBride 43,784
Name Registration No (if applicable)

Signature
April 13, 2005 Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/662,644
Applicant(s) : Haught et al.
Filed : September 15, 2003
Title : Non-Halogenated Anti Bacterial Agents and Processes for Making Same
TC/A.U. : 1616
Examiner : TBD
Conf. No. : 9385
Docket No. : 8170XR
Customer No. : 27752

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made on the attached Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. ☐ **37 C.F.R. §1.97(b)(1) - U.S. Direct (use when filing IDS with nonprovisional patent application, or with Request for Continued Examination (RCE); or within 3 months of filing a nonprovisional patent application)**

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(1), is being filed with the patent application, with a Request for Continued Examination or within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. ☒ **37 C.F.R. §1.97(b)(3) - (use when filing IDS more than 3 months after filing a nonprovisional patent application, but prior to receipt of first Office Action)**

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3. ☐ **37 C.F.R. §1.97(b)(4) - (use when filing IDS prior to receipt of first Office Action after the filing of a Request for Continued Examination (RCE) under §1.114)**

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ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:

☐ In accordance with 37 C.F.R. §1.98(a)(2), copies of only foreign patent documents and non-patent literature are enclosed.

OR

☐ All of the cited references were previously cited by or submitted to the USPTO in prior application Case No. ____, U.S. Patent Application Serial No. __, filed __. Priority is claimed to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

OR

☒ Copies of all said documents, except Cite Numbers 23 through 89, 91 through 100, 103 through 106, and 112 through 117 were submitted and considered in parent application U.S. Patent Application Serial No. 09/903,309, filed July 11, 2001. Priority is claimed to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of references not previously submitted are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

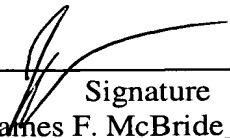
☐ Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

☐ It is respectfully requested that the Examiner consider and make of record the co-pending applications listed on the attached page.

☐ Additional information is attached.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY


 Signature

James F. McBride

Typed or printed name

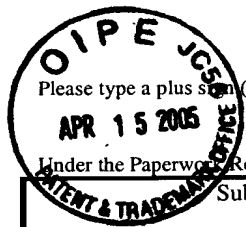
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Date: April 13, 2005

Customer No. 27752

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APR 15 2005

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Substitute for form 1449A/PTO

COMPLETE IF KNOWN

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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First Named Inventor	Haught et al.
Group Art Unit	1616
Examiner Name	Not Yet Assigned
Attorney Docket Number	8170XR

SHEET 1 of 4

U. S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	DOCUMENT NUMBER	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	1	US-2,906,711	09/29/1959	Stecker et al.	
	2	US-3,968,210	07/06/1976	Schenkel et al.	
	3	US-3,989,827	11/02/1976	Apostolatos et al.	
	4	US-4,061,603	12/06/1977	Rubinfeld et al.	
	5	US-3,041,236	06/26/1962	Stecker et al.	
	6	US-3,666,668	05/30/1972	Klausner et al.	
	7	US-5,919,152	07/06/1999	Zygmunt et al.	
	8	US-6,017,871	07/25/2000	Baeck et al.	
	9	US-4,287,191	09/01/1981	Coburn et al.	
	10	US-4,358,443	11/09/1982	Coburn et al.	
	11	US-5,958,911	09/28/1999	Evans et al.	
	12	US-6,117,859	9/12/2000	Evans et al.	
	13	US-4,560,549	12/24/1985	Ritchey et al.	
	14	US-4,647,452	03/03/1987	Ritchey et al.	
	15	US-4,742,083	05/3/1988	Ritchey et al.	
	16	US-4,725,590	02/16/1988	Ritchey et al.	
	17	US-4,939,132 equivalent to EP 0 198 366	07/03/1990	Coburn et al.	
	18	US-4,560,549 equivalent to EP 0 221 211	12/24/1985	Ritchey	
	19	US-4,287,191 equivalent to EP 0 038 191	09/01/1981	Coburn et al.	
	20	US-4,358,443 equivalent to EP 0 038 192	11/09/1982	Coburn et al.	
	21	US-3,311,562 equivalent to GB 1,088,498	03/28/1967	Stecker	
	22	US-3,666,808 equivalent to GB 1,254,999	05/30/1972	Meek	
	23	US-3,312,524	05/23/1967	Harich	
	24	US-2002/0068014 A1	06/06/2002	Haught et al.	
	25	US-2,092,300 A	09/07/1937	Bogin	
	26	US-3,256,200 A	06/14/1966	William	
	27	US-3,594,322 A	07/20/1971	Wilson	
	28	US-3,664,961	05/23/1972	Norris	
	29	US-3,666,668	05/30/1972	Klausner	
	30	US-4,008,274 A	02/15/1977	Sawatari Kenichi et al.	
	31	US-5,342,437 A	08/30/1994	Gavin	
	32	US-5,576,282	11/19/1996	Miracle et al.	
	33	US-5,605,832	02/25/1997	Damhus et al.	
	34	US-5,646,101	07/08/1997	MacBeath	
	35	US-5,683,654	11/04/1997	Dallmier et al.	
	36	US-5,686,014	11/11/1997	Bailely et al.	
	37	US-5,695,679	12/09/1997	Christie et al.	
	38	US-5,698,504	12/16/1997	Christie et al.	
	39	US-5,705,464	01/06/1998	Scheper et al.	
	40	US-5,707,950	01/13/1998	Kasturi et al.	
	41	US-5,710,115	01/20/1998	Patel et al.	
	42	US-5,728,671	03/17/1998	Rohrbaugh et al.	

	43	US-6,159,720 equivalent of WO 98/03640 A	12/12/2000	Murashima et al.	
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	FOREIGN PATENT DOCUMENT			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
	44	WO 02/28819 A1			04/11/2002	The Research Foundation of State Univ. of New York		
	45	WO 01/60157 A2			08/23/2001	Procter & Gamble		
	46	WO 98/24800 A2			06/11/1998	Magainin Pharmaceuticals Inc.		
	47	WO 98/39403 A1			09/11/1998	Procter & Gamble		
	48	WO 98/06808 A1			02/19/1998	Procter & Gamble		
	49	WO 98/06805 A1			02/19/1998	Procter & Gamble		
	50	WO 98/06807 A1			02/19/1998	Procter & Gamble		
	51	WO 98/39404 A1			09/11/1998	Procter & Gamble		
	52	WO 98/39402 A1			09/11/1998	Procter & Gamble		
	53	WO 98/16604 A2			04/23/1998	Procter & Gamble		
	54	WO 98/40473 A1			09/17/1998	Procter & Gamble		
	55	WO 96/16153 A1			05/30/1996	Procter & Gamble		
	56	WO 96/12004 A1			04/25/1996	Procter & Gamble		
	57	WO 96/16154 A1			05/30/1996	Procter & Gamble		
	58	WO 96/27649 A1			09/12/1996	Procter & Gamble		
	59	WO 98/15633 A1			04/16/1998	Emalfarb		
	60	WO 98/06809 A1			02/19/1998	Procter & Gamble		
	61	WO 98/13457 A1			04/02/1998	Procter & Gamble		
	62	WO 96/28558 A1			09/19/1996	Procter & Gamble		
	63	WO 98/28394 A1			07/02/1998	Procter & Gamble		
	64	WO 97/09431 A1			03/13/1997	Novo Nordisk Biotech Inc et al.		
	65	WO 97/31090 A1			08/28/1997	Procter & Gamble		
	66	WO 97/11164 A1			03/27/1997	Genencor Int l. Inc.		
	67	WO 99/09126 A1			02/25/1999	Procter & Gamble		
	68	WO 98/50513 A1			11/12/1998	Procter & Gamble		
	69	WO 99/02663 A1			01/21/1999	Novo Nordisk A/S		
	70	WO 98/38287 A1			09/03/1998	Novo Nordisk A/S		
	71	WO 98/38286 A1			09/03/1998	Novo Nordisk A/S		
	72	WO 98/27197 A1			06/25/1998	Novo Nordisk A/S		
	73	WO 98/10060 A1			03/12/1998	Novo Nordisk A/S		
	74	WO 98/27198 A1			06/25/1998	Novo Nordisk A/S		
	75	WO 97/11217 A1			03/27/1997	Novo Nordisk A/S		
	76	WO 97/25468 A1			07/17/1997	Novo Nordisk A/S		
	77	WO 97/25469 A1			07/17/1997	Novo Nordisk A/S		
	78	WO 97/40127 A1			10/30/1997	Novo Nordisk A/S		
	79	WO 97/40229 A1			10/30/1997	Novo Nordisk A/S		
	80	WO 97/08325 A1			03/06/1997	Novo Nordisk Biotech Inc et al.		
	81	WO 97/28257 A1			08/07/1997	Novo Nordisk A/S		
	82	WO 98/07816 A1			02/26/1998	Procter & Gamble		
	83	WO 95/26397 A1			10/05/1995	Novo Nordisk A/S		
	84	WO 96/23873 A1			08/08/1996	Novo Nordisk A/S		
	85	WO 95/35382 A2			12/28/1995	Gistbrocades B.V.		
	86	EP 0 747469 A1			12/11/1996	Procter & Gamble		
	87	EP 0 709 452 A1			05/01/1996	Procter & Gamble		
	88	E 0 747 470 A1			12/11/1996	Procter & Gamble		
	89	EP 0 698 659 A1			02/28/1996	Procter & Gamble		
	90	GB 848,306			09/14/1960	Colgate-Palmolive		
	91	GB 2 297 979 A			08/21/1996	Procter & Gamble		
	92	GB 2 294 269 A			04/24/1996	Procter & Gamble		
	93	GB 2 303 147 A			02/12/1997	Procter & Gamble		
	94	JP 57-142,903			09/03/1982	Dainippon Ink & Chemical		X
	95	JP 10088485 A			04/07/1998	Funayama et al.		X
	96	JP 10174583 A			06/30/1998	Echigo et al.		X
	97	JP 09316490 A			12/09/1997	Suzuki et al.		X
	98	JP 10088472 A			04/07/1998	Matsuyama et al.		X
	99	CH 500 661			02/15/1971	Ciba-Geigy		X

	100	BE 528,076 equivalent of FR 528,076	01/18/1957	Ciba Societe Anonyme		X
	101	FR 1,071,945	09/07/1954	CIBA		X
	102	DE 2,157,209	05/24/1973	Henkel & Cie GmbH		X
	103	DE 4428380 A1	2/15/1996	Bayer		X
	104	DE 195 23389 A1	01/09/1997	Bayer AG		X
	105	DE 196 12193 A1	10/02/1997	Consortium for the Electrochemical Industry GmbH		X
	106	CH 449,571 equivalent of 2071/65	09/15/1967	Stecker International		X
	107	FR 500,661		CIBA Geigy		
EXAMINER				DATE CONSIDERED		

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

PTO-SB08

(Revised for P&G use 10/8/2003)

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PTO/SB08B (08-03)

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	COMPLETE IF KNOWN	
SHEET 4 of 4	Application Number	10/662,644
	Confirmation Number	9385
	Filing Date	September 15, 2003
	First Named Inventor	Haught et al.
	Group Art Unit	1616
	Examiner Name	TBD
	Attorney Docket Number	8170XR

NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	108	NATARAJAN ET AL., 1992, Indian Drugs 29:545-552	
	109	LEMAIR ET AL., 1961 J. Pharmaceutical Sciences, 50:831-837	
	110	CIAMPA G. ET AL. "N-Substituted salicylanilides. I. Halogenated 2-hydroxy- and 2-acetoxybenanilides with antibacterial and antifungal activity" Vol. 68, No. 21, 6001 Chemical Abstracts, Columbus, OH, USA XP002177845 ISSN: 0009-2258 abstract,	
	111	Abstract XP 002177846 equivalent to abstract for cite 117	
	112	SMITH ET AL. Fungitoxic derivatives of salicylaldehyde, 1961, Ann. Appl. Biol. Vol. 49, ppl 102-9	
	113	GUREVICH, E. S. ET AL. "Use of org. poisons in antifouling paints" retrieved from STN Database accession no 5293a XP002191164 & Chemical Abstracts, vol. 64, no. 4, February 14, 1966	
	114	HOFFMAN, ERICH ET AL. "Formulation of fungus-resistant paints. V. Addition of saliclanilide" retrieved from STN Database accession no. 71:51292 XP002191175 abstract & J. Oil Colour Chem. Ass. (1969), 52(7)	
	115	GEORGE R. BROWN, ET AL. "Potentiation of Fasciolicidal Agents by Benzoyl Side Chains. Journal of Medicinal Chemistry, Vol. 28, 1985, pages 143-146	
	116	J. H. AMIN, "The Fries Reaction, part IV-The Rearrangement of the Derivatives of Salicylic Acid & Substituted Benzoic Acids, Scientific & Industrial Research, Vol. 138, No. 1, 1954, pages 178-179	
	117	TRUONG, PHUONG ET AL. "Synthesis and biological properties of chorosalicylamide derivatives" retrieved from STN Database accession no. 129:230511 XP 002191176 abstract & TAP CHI DUOC HOC (1998) (5) 8-12	X
EXAMINER		DATE CONSIDERED	

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PTO-SB08

(Revised for P&G use 10/8/2003)



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I hereby certify that I have reasonable basis to expect that, on the date shown below, this correspondence is being submitted as indicated below:	
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<input type="checkbox"/> I facsimile transmitted to the U.S. Patent and Trademark Office via fax number (703) 872-9306	
James F. McBride	43,784
Name	Registration No (if applicable)
Signature	
April 13, 2005	Date

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Applicant(s) : Haught et al.
Filed : September 15, 2003
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Examiner : TBD
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This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). A final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte Quayle*) has not been received as of the date of this submission. I hereby elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter (or a fee transmittal form) is enclosed to facilitate the charging of the fee.

ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:

☐ In accordance with 37 C.F.R. §1.98(a)(2), copies of only foreign patent documents and non-patent literature are enclosed.

OR

☐ All of the cited references were previously cited by or submitted to the USPTO in prior application Case No. ____, U.S. Patent Application Serial No. __, filed __. Priority is claimed to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

OR

☒ Copies of all said documents, except Cite Numbers 23 through 89, 91 through 100, 103 through 106, and 112 through 117 were submitted and considered in parent application U.S. Patent Application Serial No. 09/903,309, filed July 11, 2001. Priority is claimed to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of references not previously submitted are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

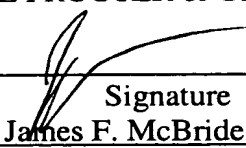
☐ Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

☐ It is respectfully requested that the Examiner consider and make of record the co-pending applications listed on the attached page.

☐ Additional information is attached.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY



Signature

James F. McBride

Typed or printed name

Registration No. 43,784

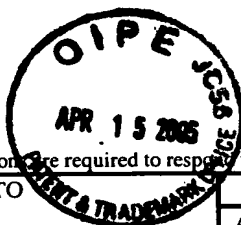
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Application Number	10/662,644
Confirmation Number	9385
Filing Date	September 15, 2003
First Named Inventor	Haught et al.
Group Art Unit	1616
Examiner Name	Not Yet Assigned
Attorney Docket Number	8170XR

SHEET 1 of 4

U. S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	DOCUMENT NUMBER Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	1	US-2,906,711	09/29/1959	Stecker et al.	
	2	US-3,968,210	07/06/1976	Schenkel et al.	
	3	US-3,989,827	11/02/1976	Apostolatos et al.	
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EXAMINER INITIALS*	Cite No. ¹	FOREIGN PATENT DOCUMENT			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
	44	WO 02/28819 A1			04/11/2002	The Research Foundation of State Univ. of New York		
	45	WO 01/60157 A2			08/23/2001	Procter & Gamble		
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	106	CH 449,571 equivalent of 2071/65	09/15/1967	Stecker International		X
	107	FR 500,661		CIBA Geigy		
EXAMINER				DATE CONSIDERED		

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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SHEET 4 of 4

COMPLETE IF KNOWN

Application Number	10/662,644
Confirmation Number	9385
Filing Date	September 15, 2003
First Named Inventor	Haught et al.
Group Art Unit	1616
Examiner Name	TBD
Attorney Docket Number	8170XR

NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	108	NATARAJAN ET AL., 1992, Indian Drugs 29:545-552	
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EXAMINER		DATE CONSIDERED	

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